

**COUNTY EMPLOYEES' AND OFFICERS' ANNUITY & BENEFIT FUND OF COOK
COUNTY ("County Fund")
And Ex-Officio for the
FOREST PRESERVE DISTRICT EMPLOYEES' ANNUITY & BENEFIT FUND OF
COOK COUNTY ("Forest Preserve District Fund")
MEETING OF THE INVESTMENT COMMITTEE OF THE RETIREMENT BOARD
("Board")
33 N. DEARBORN STREET – ROOM 1000**

Minutes for September 2, 2010 Executive Session

Trustees Present: Robert Agnes, Robert Benjamin, John E. Fitzgerald, William Granberry, Mark Kilgallon, Patrick J. McFadden

Staff Present: Daniel R. Degnan, Executive Director

Others Present: Mary Pat Burns, Burke, Burns & Pinelli

It was moved by Trustee Fitzgerald and seconded by Trustee Benjamin that the Board convene an Executive Session pursuant to Section 2(c)(11) of the Open Meetings Act, 5 ILCS 120, to discuss matters of probable litigation.

Roll Call Vote:

AYES: Agnes, Benjamin, Fitzgerald, Granberry, Kilgallon, McFadden

NAYS: None

Vote Result: MOTION ADOPTED.

Mary Pat Burns addressed the Trustees. She advised that the Illinois Attorney General (AG) was conducting a confidential investigation into custodial practices with respect to foreign exchange trading. She further reported that the AG had requested information from the Fund regarding our custodian. That request came in the form of a confidential letter. Ms. Burns explained that she attempted to obtain a "no target" letter from the AG but was told that as an office practice they did not issue such letters. She explained that she was given verbal assurances that we were not a target and that if that were to change we would be advised accordingly. She also explained that the AG does have subpoena powers and could subpoena the records.

Ms. Burns further explained that the AG's position is that they would be acting on behalf of the Funds and other State of Illinois agencies in any action against the custodian resulting from the investigation and that the request was not an adversarial one. She further stated that the AG indicated that in the event action was taken and a favorable decision or settlement was obtained the Fund may benefit. Ms. Burns reminded the Trustees that lawsuits were pending in California with respect to foreign exchange practices of some custodians and in her opinion the AG's investigation was in response to that.

She indicated that we did produce documents pursuant to the request and that all the documents were public records. Those documents included a Request for Proposal issued by the Fund in 2007 and responses thereto, the contract the Fund entered into with our custodian and a list of our investment managers.

Ms. Burns recommended that we continue to cooperate with the investigation.

It was moved by Trustee Fitzgerald and seconded by Trustee Benjamin that, no formal action being taken, the Executive Session be adjourned and that the Board return to open session.

Vote Result: MOTION ADOPTED UNANIMOUSLY BY VOICE VOTE.